



October 3, 2025

BY ECF

Honorable Cheryl L. Pollak
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *McCloud, Jr. v. City of New York, et al.*, 23 CV 8341 (NRM) (CLP)

Your Honor:

I represent plaintiff in the above-referenced action. If it should please the Court, I write to respectfully apprise Your Honor of developments relevant to plaintiff's discovery motion dated August 29, 2025 and filed at Dkt. 65.

Defendants informed plaintiff on September 18, 2025 that Ms. Holohan was leaving the Law Department and Ms. McLaren would be taking over as lead defense counsel. At that time, defendants requested that the deposition schedule be adjourned by six to eight weeks to allow new counsel to familiarize themselves with the file.¹ Since that time, defendants have provided new dates for most of the individual defendants and plaintiff has agreed to reschedule them to dates in November and December. We await new dates for two individual defendants. Additionally, we were recently informed that defendant Garnar has passed away, and plaintiff is in the process of obtaining information necessary to file a Suggestion of Death and move for substitution under Rule 25.

Thank you for your attention to this matter.

Respectfully submitted,


Gabriel P. Harvis

cc: Defense Counsel

¹ Prior to the change in defense counsel, plaintiff deposed defendants Bove and Herbert, with the proceedings left open pending the Court's determination of plaintiff's motion at Dkt. 65.